

1
2
3
4
5
6
7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**
9

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 JORDAN WILLIAMS,

14 Defendant.
15

Case No. 2:10-CR-0176-KJD-PAL

ORDER

16 Before the Court for consideration is the Order and Report of Findings and Recommendation
17 (#68) of Magistrate Judge Peggy A. Leen entered November 15, 2010, recommending that
18 Defendant's Motion to Suppress Evidence (#27) be granted in part and denied in part. Objections
19 (#70) to the Magistrate Judge's Report and Recommendation were filed by Defendant Jordan
20 Williams pursuant to Local Rule IB 3-2 of the Local Rules of Practice of the United States District
21 Court of the District of Nevada. The Government filed a response (#78) to Defendant's objections.
22 The United States also filed Objections (#69) to which Defendant responded (#73). The United
23 States also filed a Motion to Strike (#74) Defendant's response. Defendant opposed (#77) the
24 motion to strike

25 The Court has conducted a *de novo* review of the record in this case in accordance with 28
26 U.S.C. § 636(b)(1) and LR IB 3-2. The Court determines that the Report and Recommendation

1 (#68) of the United States Magistrate Judge entered November 15, 2010, should be **ADOPTED in**
2 **part** and **AFFIRMED in part**.

3 The Court **ADOPTS** and **AFFIRMS** the Magistrate Judge's recommendation that the motion
4 be denied with respect to firearms, firearm accessories, and paperwork showing ownership or
5 possession of these items and paperwork and other items tending to establish ownership, occupancy
6 or a possessory interest in the searched premises. However, to the extent that the Magistrate Judge
7 recommended that all other evidence be suppressed, the Court **GRANTS** Plaintiff's objections to the
8 suppression of the evidence found in plain sight, the cocaine and marijuana. See Coolidge v. N.H.,
9 403 U.S. 443 (1971); U.S. v. Chester, 678 F.2d 1353 (9th Cir. 1982).

10 IT IS THEREFORE ORDERED that the Magistrate Judge's Report of Findings and
11 Recommendation (#68) entered November 15, 2010, are **ADOPTED in part** and **AFFIRMED in**
12 **part**, and Defendant's Motion to Suppress Evidence (#27) is **GRANTED in part** and **DENIED in**
13 **part**;

14 IT IS FURTHER ORDERED that the United States' Motion to Strike (#74) is **DENIED**.

15 DATED this 3rd day of November 2010.

16
17
18 

19 Kent J. Dawson
20 United States District Judge
21
22
23
24
25
26